

COUNTY OF MAUI
PLANNING DEPARTMENT
250 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
TELEPHONE: (808) 270-7735 FAX: (808) 270-7634

**WORKSHEET FOR BED & BREAKFAST APPLICATIONS
IN MAUI COUNTY
MARCH 16, 1998**

WHAT IS THE STATE LAND USE DISTRICT DESIGNATION OF THE PROPERTY?

— **AGRICULTURAL**

PERMITS REQUIRED

1. State Land Use Commission Special Use Permit (granted by County Planning Commission)
2. County Conditional Permit (granted through County Planning Commission and County Council) if Agricultural Zoning is in place; or County Use Variance (granted through County Board of Variances and County Council) if property is in Agricultural Interim zoning

— **RURAL**

PERMITS REQUIRED

1. State Land Use Commission Special Use Permit (granted by County Planning Commission)
2. County Conditional Permit (granted through County Planning Commission and County Council) when Rural Zoning is in effect, or County Use Variance (granted through County Board of Variances and County Council) if property is in Rural Interim zoning

— **URBAN**

What is the zoning of the property? - *Bed and Breakfast Uses are only permitted in **RESIDENTIAL** and **BUSINESS** zones.*

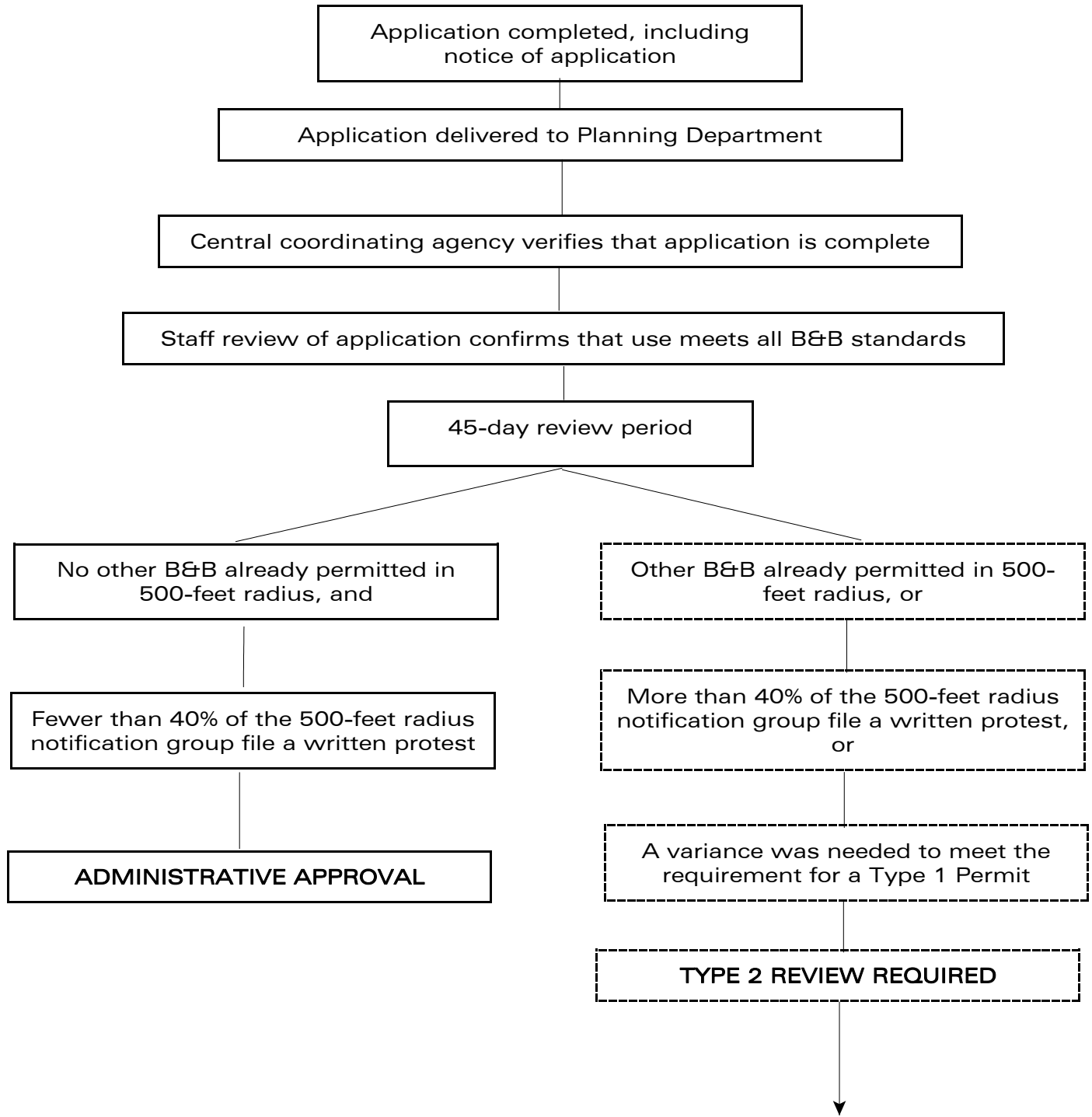
PERMITS REQUIRED

1. B&B TYPE 1 PERMIT, for a maximum of 2 rental rooms; OR
2. B&B TYPE 2 PERMIT, for a maximum of 4 rental rooms, minimum lot size of 7,500 square feet; OR
3. B&B TYPE 3 PERMIT, for a maximum of 6 rental rooms, minimum lot size of 10,000 square feet.

If the property is in Urban Interim zoning, establishing zoning or obtaining a an interim use variance will also be necessary.

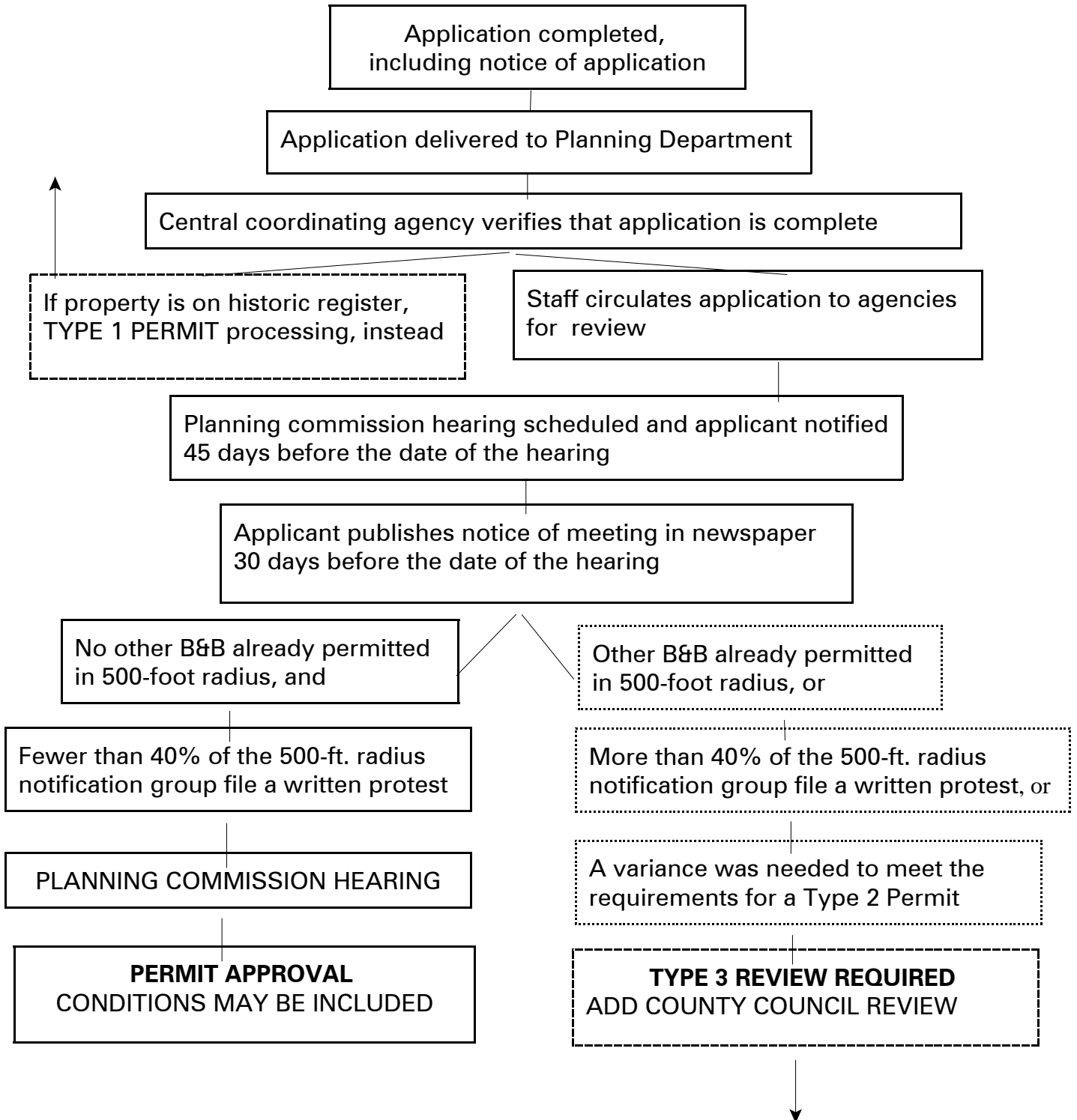
WORKSHEET FOR B&B USES IN MAUI COUNTY
RESIDENTIAL AND BUSINESS DISTRICTS
TYPE 1 PERMIT

*Not more than two guest bedrooms
no minimum lot size*



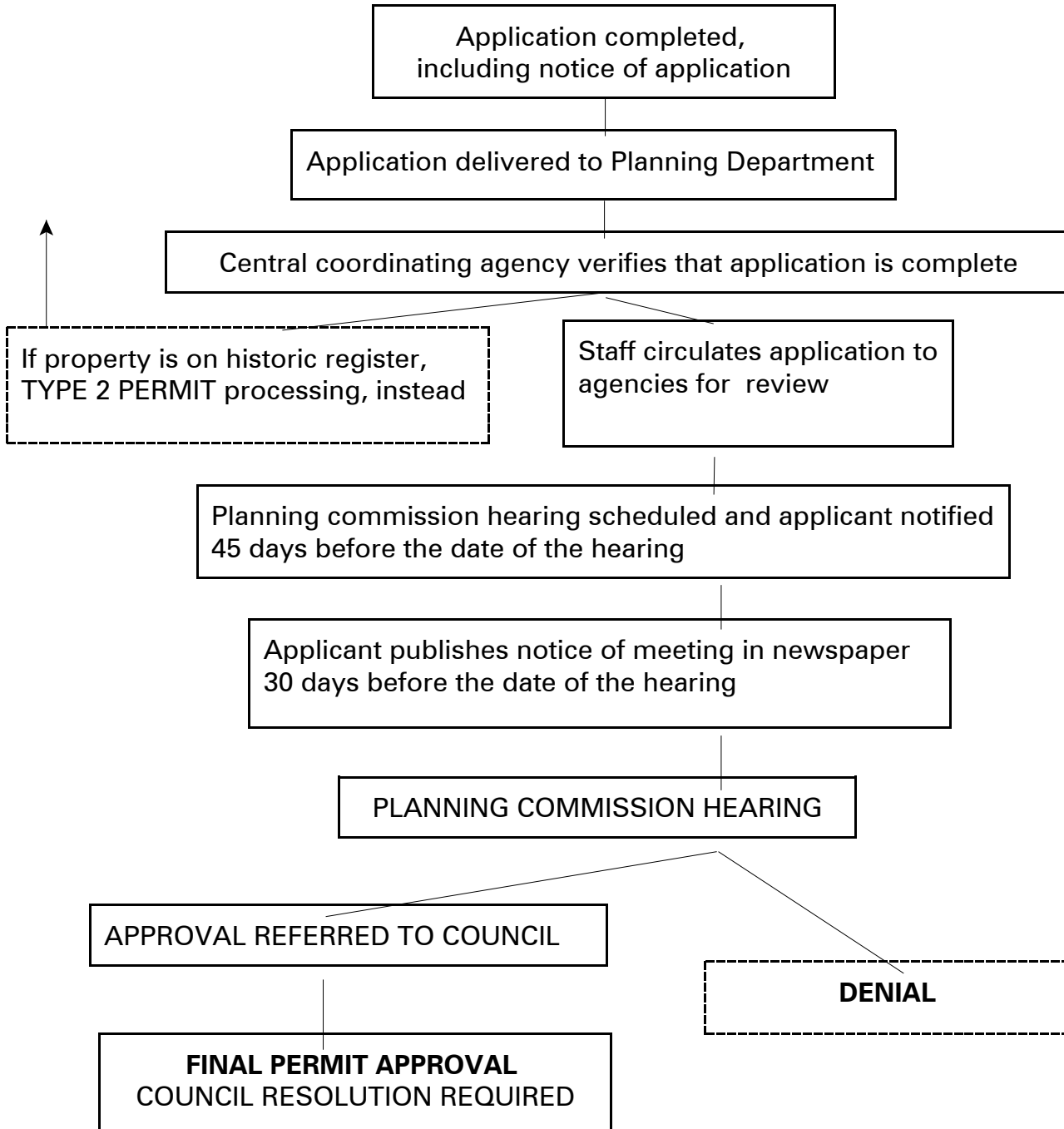
**WORKSHEET FOR B&B USES IN MAUI COUNTY
RESIDENTIAL AND BUSINESS DISTRICTS
TYPE 2 PERMIT**

*Not more than 4 guest bedrooms
Minimum lot size 7,500 square feet*



WORKSHEET FOR B&B USES IN MAUI COUNTY
RESIDENTIAL AND BUSINESS DISTRICTS
TYPE 3 PERMIT

*Not more than 6 guest bedrooms
Minimum lot size 10,000 square feet*



BED AND BREAKFAST HOMES MAUI COUNTY RESIDENTIAL AND BUSINESS ZONES

INFORMATION FOR PERMIT PROCEDURES

SOURCE OF LEGAL AUTHORITY: Title 19, Maui County Code, 1980, As Amended, and Title 19.64, Maui County Code, effective March 16, 1998

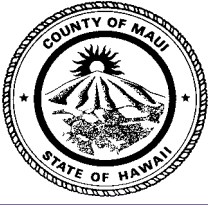
DEFINITION: The Maui County Code, Section 19.04.040, defines a bed and breakfast home as “a use in which overnight accommodations are provided to guests for compensation, for periods of less than 30 days, in a detached single-family dwelling unit occupied by the owner-proprietor or lessee-proprietor. The home shall include bedrooms, one kitchen, and living areas used by the family occupying the home and shall include no more than six bedrooms for short-term rental, as specified within the zoning district provisions of this Title.”

STANDARDS FOR BED AND BREAKFAST USES

Within the residential and business districts, bed and breakfast uses may qualify for a permit when the following standards are met:

- Only one single-family dwelling per lot may have a short term-rental use.
- The proprietor must have a current transient accommodations tax (TAT) license and general excise tax (GET) license for the bed and breakfast home.
- The proprietor must be a resident of the county and must reside, on a full-time basis, within the single-family dwelling unit used as the bed and breakfast home.
- The proprietor must be the legal owner of the property or holds a lease of five years or more on the property where the use is located.
- The number of bedrooms used for short term rental in the B&B home shall be no more than six, and the number of guests per room is two or fewer.
- One off-street parking space is required for each GUEST bedroom in a bed and breakfast home, in addition to those required for the dwelling use.
- The bed and breakfast home must be in compliance with all other applicable federal, state and local laws.
- Single station smoke detectors must be located in all guest rooms.
- Residential property tax exemptions pursuant to chapter 3.48 are not available for bed and breakfast homes.
- The bed and breakfast use should not create any impact greater than those already existing in the district.
- The proprietor must include the number of the permit in all advertizing.

RENEWAL OF PERMITS - *Bed and Breakfast permits must be renewed annually. If no changes are proposed in the B&B use, the applicant must provide the Planning Department with a letter requesting renewal of the permit and written verification of applicable tax payments at least 45 days prior to the expiration of the permit. Permit renewal may be granted by the Planning Director subject to the same conditions initially attached to the permit, unless conditions of the B&B use or of the criteria for permits has changed. A fee shall be provided pursuant to the County budget.*



COUNTY OF MAUI
PLANNING DEPARTMENT
250 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

APPLICATION FOR BED AND BREAKFAST USE

DATE _____

PERMIT TYPE _____

Min. lot size

No. of rental rooms

_____ TYPE 1

none

one to two

_____ TYPE 2

7,500 sf.

three to four

_____ TYPE 3

10,000 sf.

five to six

NOTE: certain conditions may change the permit type during the course of processing

PROJECT NAME _____

Briefly Describe the Bed and Breakfast use: _____

TAX MAP KEY NUMBER _____

HPR# _____

SIZE OF PROPERTY _____

LOCATION _____

PROPERTY OWNER _____

ADDRESS _____

TELEPHONE NO. (Bus.) _____

(Res.) _____

OWNER SIGNATURE _____

B&B PROPRIETOR/OPERATOR _____

ADDRESS _____

TELEPHONE NO. (Bus.) _____

(Res.) _____

B&B PROPRIETOR/OPERATOR SIGNATURE _____

APPLICANT _____

RELATIONSHIP OF APPLICANT TO OWNER/PROPRIETOR _____

ADDRESS _____

TELEPHONE NO. (Bus.) _____

(Res.) _____

APPLICANT SIGNATURE _____

Briefly Describe the Current Use of the Property: _____

State Land Use District Boundary Designation: _____

Community Plan Designation: _____

Maui County Zoning Designation: _____

Other Designation, if Applicable: _____

THE FOLLOWING DOCUMENTS ARE REQUIRED FOR PERMIT PROCESSING:

- ___ 1. Application form. (Original and one copy).
- ___ 2. Documents which identify the owner of the subject parcel of land and 5 year lease if B&B proprietor/lessee is not the owner of the property.
- ___ 3. If the applicant is not the owner of the subject parcel, then notarized written authorization for the application by the owner shall be included. Said authorization shall include the owner's name, address and telephone numbers.
- ___ 4. A **non-refundable** filing fee (See fee schedule, Table B), payable to the *County of Maui, Director of Finance*.
- ___ 5. A copy of the proprietor's current transient accommodations tax (TAT) license and general excise tax (GET) license for the bed and breakfast home.
- ___ 6. Certification that the applicant's primary residence is the single-family dwelling unit to be used as the bed and breakfast home and that the applicant understands that the permit is non-transferable.
- ___ 7. A site plan identifying the location of the dwelling and the location(s) and dimensions of on-site parking. (Original and one copy).
- ___ 8. A floor plan identifying the location of the bedroom(s) to be used for short-term rental. (Original and one copy).
- ___ 9. Photographs of the home for which the bed and breakfast use is propose, including exterior views of the home and parking area(s).
- ___ 10. A written description of how any impacts of the bed and breakfast use upon the surrounding neighborhood will not be greater than those already existing in the district. (Original and one copy).
- ___ 11. Any other information and documentation required by the Planning Department to properly process the application.
- ___ 12. A list of the owners and lessees of record of all real property located within a five-hundred-foot distance from the subject parcel. The list shall be compiled from the most current list available at the Real Property Tax Division of the Department of Finance at the time of filing the application. This list shall include the names and addresses of each owner and recorded lessee, identified with each tax map key number.

Also provide a map, drawn to scale, which clearly identifies the five-hundred foot boundary surrounding the subject parcel and all parcels within that boundary.

- ___ 13. The *Notarized Affidavit of Mailing* (found in application packet) verifying that the *Notice of Filing of Application* (also in packet) has been mailed to all owners and lessees of record listed within the 500-foot radius.

The applicant shall deliver return receipts from that mailing to the Planning Department not more than 45 days from the date of mailing of the Notice of Application.

The Notarized Affidavit of Mailing may be submitted **after** the first twelve items for application on the list have been accepted by the Planning Department.

After reviewing the application packet for completeness as far as for agency review, the Planning Department may contact the applicant to provide additional copies of application packet for agency transmittal.

NOTICE OF FILING OF A BED AND BREAKFAST PERMIT APPLICATION

DATE: _____

TO:

Please be informed that the undersigned has applied to the _____ Planning Commission of the County of Maui for a Bed and Breakfast permit for the following parcel:

1. TAX MAP KEY: _____
2. LOCATION: (Street Address) _____
Map(s) attached
3. DESCRIPTION: _____

4. PARKING: (diagram attached) _____

Information relative to the application is available for review at the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii, or telephone: 270-7735; Toll- Free from Molokai 1-800-272-0117, extension 7735; and Toll-Free from Lanai 1-800-272-0125, extension 7735.

Attached please find a map identifying the location of the specific parcel being considered in the request for bed and breakfast use.

Testimony relative to this request may be submitted in writing to the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii 96793. The noticed owners and lessees of record may file a written protest against the proposed bed and breakfast home with the Planning Director, provided that all protests must be postmarked or received within forty-five days of the mailing of this notice of application. Further, if you wish to receive information of the public hearing (Type 2 & 3 permits only,) remit a written request to the Planning Department within 45 days after the mailing of this notice of application.

Name of Applicant

Signature

**NOTARIZED AFFIDAVIT OF MAILING
OF NOTICE OF APPLICATION**

_____, being first duly sworn on oath,
(name)
deposes and says that:

1. Affiant is the applicant for a Bed and Breakfast Type _____ Permit for property located at _____, in the _____ District.
TMK: _____
2. Affiant did on _____, _____, deposit in the United States Mail, post paid, by certified or registered mail and delivery to addressee, a copy of a Notice of Application, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified on "Exhibit B", attached hereto and made a part hereof.

Further Affiant sayeth naught:

(signature)

NOTICE OF HEARING FOR A BED AND BREAKFAST PERMIT APPLICATION

DATE: _____

TO:

Please be informed that the undersigned has applied to the _____ Planning Commission of the County of Maui for a Bed and Breakfast permit for the following parcel:

1. TAX MAP KEY: _____
2. LOCATION: (Street Address) _____
Map(s) attached
3. DESCRIPTION: _____

4. PARKING: (diagram attached) _____

THIS SECTION TO BE COMPLETED BY THE PLANNING DEPARTMENT:

The application has been scheduled for a hearing before the _____ Planning Commission.

Public Hearing Date: _____

Time: _____

Place: _____

Information relative to the application is available for review at the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii, telephone: (808) 270-7735; toll free from Molokai 1-800-272-0117, Extension 7735; and toll free from Lanai 1-800-272-0125, extension 7735.

Attached please find a map identifying the location of the specific parcel being considered in the request for Bed and Breakfast permit approval.

The hearing is held under the authority of the Maui County Code and the Rules of the Maui Planning Commissions. Petitions to intervene shall be filed with the appropriate commission and served upon the Applicant no less than ten (10) days before the public hearing date. Filing of all documents for the Planning Commissions is c/o the Maui Planning Department, 250 South High Street, Wailuku, Hawaii, 96793. The computation of time begins with the day following the act, event, or default, and includes the last day of the period unless it is a Saturday, Sunday or legal state holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday or state holiday. When the prescribed period of time is 10 days or less, Saturdays, Sundays, or state holidays within the designated period shall be excluded in the computation.

Testimony relative to this request may be submitted in writing prior to the hearing to the Planning Commission c/o the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii 96793; or presented in person at the time of the public hearing.

**NOTARIZED AFFIDAVIT OF MAILING
OF NOTICE OF PUBLIC HEARING**

_____, being first duly sworn on oath,
(name)
deposes and says that:

1. Affiant is the applicant for a Bed and Breakfast Type _____ Permit for property located at _____, in the _____ District.
TMK: _____
2. Affiant did on _____, _____, deposit in the United States Mail, post paid, by certified or registered mail and delivery to addressee, a copy of a Notice of Public Hearing, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified on "Exhibit B", attached hereto and made a part hereof.
3. Thereafter there was returned to the office of Affiant the United States Post Office Certified or Registered Mail Receipts, which are attached hereto as "Exhibit C" and made a part hereof.

Further Affiant sayeth naught:

(signature)

COUNTY OF MAUI
DEPARTMENT OF PLANNING

ZONING AND FLOOD CONFIRMATION REQUEST FORM

APPLICANT: _____ PHONE NO.: _____

ADDRESS: _____

PROJECT NAME: _____

ADDRESS AND/OR LOCATION: _____

TMK NUMBER(S): _____

ZONING INFORMATION

STATE LAND USE _____ COMMUNITY PLAN _____

COUNTY ZONING _____ SPECIAL DISTRICT _____

OTHER _____

FLOOD INFORMATION

FLOOD HAZARD AREA* ZONE _____

BASE FLOOD ELEVATION _____ mean sea level, 1929 National
Geodetic Vertical Datum or for Flood Zone A0, FLOOD DEPTH _____ feet.

FLOODWAY [] Yes or [] No

FLOOD DEVELOPMENT PERMIT IS REQUIRED [] Yes or [] No

* For flood hazard area zones B or C; a flood development permit would be required if any work is done in any drainage facility or stream area that would reduce the capacity of the drainage facility, river, or stream, or adversely affect downstream property.

FOR COUNTY USE ONLY

REMARKS/COMMENTS: _____

- ☐ Additional information required.
- ☐ Information submitted is correct.
- ☐ Correction has been made and initialed.

Reviewed and Confirmed by:

Signature

Date

Zoning Administration and Enforcement Division